IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 9 OF 2006

Sachin V. Naik,
Panaji, Goa. ... Petitioner

versus

Mrs. Vijaylaxmi V.
Naik and others. ... Respondents

Mr. U. R. Timble, Advocate for the Petitioner.

CORAM : N. A. BRITTO, J.

DATE : 6TH APRIL, 2006.

P.C.:-

Heard Mr. U. R. Timble, the learned Counsel on behalf of the petitioner. The petitioner has invoked Article 227 of the Constitution of India to assail the Order dated 28-1-2005 passed in Execution Proceedings by the State Consumer Disputes Redressal Commission which Order is otherwise appealable in terms of Section 27-A of the Consumer Protection Act, 1986. Mr. Timble submits that the said Order is passed without jurisdiction and this Court could also entertain the petition to correct the same. The question is not one for want of

jurisdiction by this Court but one of propriety to allow a party to invoke extraordinary jurisdiction when ordinary remedy of appeal is provided by the said Act. Being so, the petition is dismissed in limine. The petitioner is at liberty to file an appeal as provided under the said Consumer Protection Act, 1986.

N. A. BRITTO, J.

RD